

Amendment and Response

Applicant: Mark Hirst et al.

Serial No.: 10/685,322

Filed: October 14, 2003

Docket No.: 200309706-1

Title: IMAGING DEVICE COOLING SYSTEM

REMARKS

The following remarks are made in response to the Office Action mailed March 30, 2005. Claims 24-43 and 47 have been allowed. Claims 1, 6-12, 17-19, 21-23, and 44 were rejected. Claims 2-5, 13-16, and 20 have been objected to. With this Response, claims 1, 7, 10, 12, 17, 19, and 44-46 have been amended. Claims 1-47 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 112

Claims 7-8, 10, 17, and 45-46 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With this response, claim 7 has been amended to depend from claim 2 so as to provide proper antecedent basis for “the print element” in claims 7 and 8; claim 10 has been amended to change the “imaging device print element” to “element”, for which there is proper antecedent basis; and claims 45-46 have been amended so as to properly depend directly or indirectly from method claim 44. As such, Applicant respectfully requests that the rejection of claims 7-8, 10, 17, and 45-46 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 6, 9, 11-12, 18-19, 21-23, and 44 were rejected under 35 U.S.C. § 102(e) as being anticipated by Maeda et al. U.S. Patent Application Publication No. 2003/0184941 A1 (“Maeda”). Independent claim 1 has been amended to recite a cooling system in a print imaging device having an element that generates heat, the cooling system comprising a thermoelectric generator thermally coupled to the element to convert heat from the element to electrical energy, and a cooling device power by the electrical energy to thereby cool the print imaging device. Maeda does not disclose a cooling system in a print imaging device but rather a cooling device for an information processor 10 having a visual display unit16. Independent claims 12 and 44 and have been amended to include similar limitations. Accordingly, Applicant believes the rejections of claims 1, 12 and 44 under 35 U.S.C. § 102(e) as being anticipated by Maeda should be withdrawn.

Amendment and Response

Applicant: Mark Hirst et al.

Serial No.: 10/685,322

Filed: October 14, 2003

Docket No.: 200309706-1

Title: IMAGING DEVICE COOLING SYSTEM

Dependent claims 2-11, 13-23, and 45-46 depend directly or indirectly upon corresponding independent claims 1, 12, and 44. Accordingly, dependent claims 2-11, 13-23, and 45-46 are also allowable over Maeda.

Allowable Subject Matter

Claims 24-43 and 47 were allowed.

The Examiner objected to claims 2-5, 13-16 and 20 for being dependent upon a rejected base claim, but as being allowable if rewritten in independent form including all limitations of the base claim and any intervening claims and if rewritten to overcome the 35 U.S.C. §112 rejections. Applicant agrees with the Examiner's conclusions regarding patentability without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, Applicant believes that the claims are allowable because prior art fails to teach, anticipate, or render obvious the invention as claimed, independent of how the invention is paraphrased. However, Applicant respectfully requests that the Examiner hold the objections to claims 2-5, 13-16 and 20 in abeyance until a decision is made regarding independent claims 1 and 12 from which these claims depend.

Amendment and Response

Applicant: Mark Hirst et al.

Serial No.: 10/685,322

Filed: October 14, 2003

Docket No.: 200309706-1

Title: IMAGING DEVICE COOLING SYSTEM

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-47 are in form for allowance and are not taught or suggested by the cited references. Therefore, allowance of claims 1-47 is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to either Gregg W. Wisdom at Telephone No. (360) 212-8052, Facsimile No. (360) 212-3060 or Steven E. Dicke at Telephone No. (612) 573-2002, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Mark Hirst et al.

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-2002
Facsimile: (612) 573-2005

Date: June 30, 2005
SED:mas

Steven E. Dicke
Steven E. Dicke
Reg. No. 38,431

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30th day of June, 2005.

By Steven E. Dicke
Name: Steven E. Dicke